

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, URGING THE U.S. DEPARTMENT OF JUSTICE TO CONVENE A GRAND JURY TO INVESTIGATE THE MURDERS OF ARMANDO ALEJANDRE, JR., MARIO DE LA PENA, CARLOS COSTA, AND PABLO MORALES, THE BROTHERS TO THE RESCUE PILOTS WHO WERE SHOT DOWN BY TWO CUBAN AIR FORCE WAR PLANES WHILE FLYING A HUMANITARIAN SEARCH AND RESCUE MISSION IN TWO UNARMED U.S. LICENSED CIVILIAN AIRCRAFT IN THE FLORIDA STRAITS ON FEBRUARY 24, 1996; AND STRONGLY URGING CONGRESS TO CONDEMN THESE RUTHLESS AND VIOLENT ACTS.

WHEREAS, the Mayor and the City Council of the City of Hialeah passed Resolution No. 96-33 on February 27, 1996, denouncing and condemning the Castro regime for its barbaric act of February 24, 1996, when Fidel and Raul Castro ordered the shoot-down of two unarmed civilian aircraft over the Straits of Florida in international airspace that resulted in the deaths of Armando Alejandro, Jr., Mario de la Pena, Carlos Costa, and Pablo Morales, four Brothers to the Rescue pilots on a humanitarian search and rescue mission; and

WHEREAS, Miami-Dade County passed Resolution No. 1386-07 on December 18, 2007, urging the U.S. Department of Justice to convene a grand jury to investigate the role of the Castro regime in the murders of pilots, and to condemn the aforementioned act of the Cuban regime; and

WHEREAS, several human rights organizations have condemned these acts by the Cuban regime; and

WHEREAS, the U.S. Attorney's Office in Miami has indicted the two Cuban pilots who shot down the civilian planes, and the Cuban General who ordered the shoot-down, but those individuals remain in Cuba; and

WHEREAS, this barbaric act against remains unpunished and unresolved by U.S. authorities, in that no action has been initiated by the U.S. against Fidel Castro, Raul Castro, or any of their accomplices in Cuba and the U.S.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1. The Mayor and the City Council of the City of Hialeah, Florida urge the U.S. Department of Justice to convene a grand jury to investigate the role of Fidel Castro and Raul Castro in the murders of Armando Alejandro, Jr., Mario de la Pena, Carlos Costa, and Pablo Morales, who were shot down by two Cuban Air Force war planes while flying a humanitarian search and rescue mission in two unarmed U.S. licensed civilian aircraft in the Florida Straits on February 24, 1996.

Section 2. The Mayor and the City Council of the City of Hialeah, Florida urge Congress to condemn the actions of the Cuban regime in ordering the shoot-down.

PASSED AND ADOPTED this 22nd day of January, 2008.



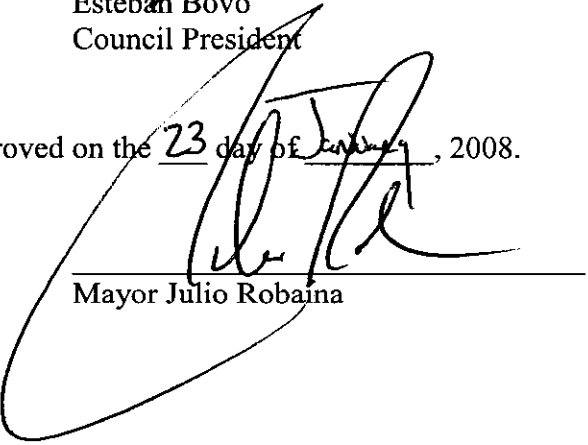
Esteban Bovo
Council President

Attest:



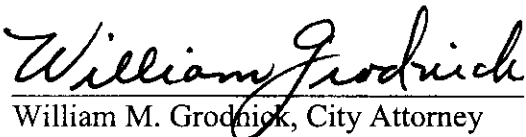
Rafael E. Granado, City Clerk

Approved on the 23 day of January, 2008.



Mayor Julio Robaina

Approved as to legal sufficiency and form:



William M. Grodnick, City Attorney

Approved _____ Mayor

Veto _____

Override _____

Substitute

Agenda Item No. 11(A)(7)

12-18-07

RESOLUTION NO. _____

RESOLUTION URGING THE U.S. DEPARTMENT OF JUSTICE TO CONVENE A GRAND JURY TO INVESTIGATE THE MURDERS OF ARMANDO ALEJANDRE JR., MARIO DE LA PENA, CARLOS COSTA AND PABLO MORALES, ALL OF WHOM WERE SHOT DOWN BY TWO CUBAN AIR FORCE WAR PLANES WHILE FLYING A HUMANITARIAN SEARCH AND RESCUE MISSION IN TWO UNARMED U.S. LICENSED CIVILIAN AIRCRAFT IN THE FLORIDA STRAITS ON FEBRUARY 24TH, 1996; URGING CONGRESS TO CONDEMN THESE ACTIONS

WHEREAS, on February 24th, 1996, two unarmed U.S.-licensed civilian aircraft were shot down while flying a humanitarian search and rescue mission in the Florida Straits by two Cuban Air Force war planes; and

WHEREAS, this action resulted in the deaths of Vietnam Veteran Armando Alejandro Jr., Corporal United States Marine Corps; U.S. Citizens Mario de la Pena and Carlos Costa, and legal U.S. resident Pablo Morales; and

WHEREAS, the planes were shot down with no prior warning and without adherence to the protocol established by international law with regard to unarmed civilian planes; and

WHEREAS, subsequent investigations and statements by eyewitnesses demonstrated that the unarmed planes were shot down in international airspace; and

WHEREAS, the United Nations Security Council, the United Nations Committee on Human Rights, the European Union, the International Civil Aviation Organization and the Inter-American Commission on Human Rights of the Organization of the American States condemned these acts by the Cuban regime; and

WHEREAS, in 2003, the U.S. Attorney's Office in Miami indicted the two pilots, Lorenzo and Francisco Perez-Perez, who shot down the unarmed civilian planes, and Cuban General Ruben Martinez-Puente who ordered the shoot-down, but these individuals remain in Cuba; and

WHEREAS, in spite of the overwhelming evidence against the Cuban regime, including public admissions by both Fidel Castro and Raul Castro admitting responsibility for these premeditated criminal acts, no action has been initiated by the previous or current U.S. administration against either Fidel Castro or Raul Castro,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the U.S. Department of Justice to convene a grand jury to investigate the role of Fidel Castro and Raul Castro in the murders of Armando Alejandro Jr., Mario de la Pena, Carlos Costa and Pablo Morales, who were shot down by two Cuban Air Force war planes while flying a humanitarian search and rescue mission in two unarmed U.S. licensed civilian aircraft in the Florida Straits on February 24th, 1996.

Section 2. Urges Congress to condemn the actions of the Cuban regime as set forth above.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the members of the Florida Congressional Delegation and the U.S. Attorney General.

Section 4. Directs the County's federal lobbyists to advocate for the action set forth in Sections 1 and 2, and directs the Office of Intergovernmental Affairs to include this item in the 2008 Federal Legislative Package.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 18th day of December, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

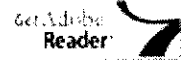
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Miami-Dade Legislative Item

File Number: 073629

Printable PDF Format



File Number: 073629 **File Type:** Resolution **Status:** Adopted
Version: 0 **Reference:** R-1386-07 **Control:** Board of County Commissioners
File Name: CIVILIAN AIRCRAFT SHOT DOWN BY CUBAN AIR FORCE WAR PLANES **Introduced:** 12/10/2007
Requester: NONE **Cost:** **Final Action:** 12/18/2007
Agenda Date: 12/18/2007 **Agenda Item Number:** 11A7SUBSTITUTE

Notes: Title: RESOLUTION URGING THE U.S. DEPARTMENT OF JUSTICE TO CONVENE A GRAND JURY TO INVESTIGATE THE MURDERS OF ARMANDO ALEJANDRE JR., MARIO DE LA PENA, CARLOS COSTA AND PABLO MORALES, ALL OF WHOM WERE SHOT DOWN BY TWO CUBAN AIR FORCE WAR PLANES IN TWO UNARMED U.S. LICENSED CIVILIAN AIRCRAFT WHILE FLYING A HUMANITARIAN SEARCH AND RESCUE MISSION IN THE FLORIDA STRAITS ON FEBRUARY 24TH, 1996; URGING CONGRESS TO CONDEMN THESE ACTIONS [SEE ORIGINAL ITEM UNDER FILE NO. 073628]

Indexes: U.S. DEPARTMENT OF JUSTICE **Sponsors:** Jose "Pepe" Diaz
 CUBAN PILOTS Rebeca Sosa
 Sen. Javier D. Souto

Sunset Provision: No **Effective Date:** **Expiration Date:**
Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	12/18/2007	11A7 SUBSTITUTE	Adopted				P
County Attorney	12/17/2007		Assigned	Jess M. McCarty		12/17/2007	
County Manager	12/17/2007		Additions		12/18/2007		

Legislative Text

TITLE

RESOLUTION URGING THE U.S. DEPARTMENT OF JUSTICE TO CONVENE A GRAND JURY TO INVESTIGATE THE MURDERS OF ARMANDO ALEJANDRE JR., MARIO DE LA PENA, CARLOS COSTA AND PABLO MORALES, ALL OF WHOM WERE SHOT DOWN BY TWO CUBAN AIR FORCE WAR PLANES IN TWO UNARMED U.S. LICENSED CIVILIAN AIRCRAFT WHILE FLYING A HUMANITARIAN SEARCH AND RESCUE MISSION IN THE FLORIDA STRAITS ON FEBRUARY 24TH, 1996; URGING CONGRESS TO CONDEMN THESE ACTIONS

BODY

WHEREAS, on February 24th, 1996, two unarmed U.S.-licensed civilian aircraft were shot down while flying a humanitarian search and rescue mission in the Florida Straits by two Cuban Air Force war planes; and

WHEREAS, this action resulted in the deaths of Vietnam Veteran Armando Alejandro Jr., Corporal United States Marine Corps; U.S. Citizens Mario de la Pena and Carlos Costa, and legal U.S. resident Pablo Morales; and

WHEREAS, the planes were shot down with no prior warning and without adherence to the protocol established by international law with regard to unarmed civilian planes; and

WHEREAS, subsequent investigations and statements by eyewitnesses demonstrated that the unarmed planes were shot down in international airspace; and

WHEREAS, the United Nations Security Council, the United Nations Committee on Human Rights, the European Union, the International Civil Aviation Organization and the Inter-American Commission on Human Rights of the Organization of the American States condemned these acts by the Cuban regime; and

WHEREAS, in spite of the overwhelming evidence against the Cuban regime, including public admissions by both Fidel Castro and Raul Castro admitting responsibility for these premeditated criminal acts, no action has been initiated by the previous or current U.S. administration against either Fidel Castro or Raul Castro,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the U.S. Department of Justice to convene a grand jury to investigate the role of Fidel Castro and Raul Castro in the murders of Armando Alejandro Jr., Mario de la Pena, Carlos Costa and Pablo Morales, who were shot down by two Cuban Air Force war planes in two unarmed U.S. licensed civilian aircraft while flying a humanitarian search and rescue mission in the Florida Straits on February 24th, 1996.

Section 2. Urges Congress to condemn the actions of the Cuban regime as set forth above.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the members of the Florida Congressional Delegation and the U.S. Attorney General.

Section 4. Directs the County's federal lobbyists to advocate for the action set forth in Sections 1 and 2, and directs the Office of Intergovernmental Affairs to include this item in the 2008 Federal Legislative Package.

E-mail your comments, questions and suggestions to Webmaster

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RESOLUTION NO. 96-33

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA DENOUNCING AND CONDEMNING THE BARBARIC ACT OF GUNNING DOWN TWO UNARMED CIVILIAN AIRCRAFT OVER THE STRAITS OF FLORIDA IN INTERNATIONAL AIRSPACE AS A FLAGRANT VIOLATION OF INTERNATIONAL LAW AND AS THE DESPICABLE ACT OF A RUTHLESS DICTATOR AND FURTHER MOURNING THE LOSS OF FOUR CREW MEMBERS WHO ARE PRESUMED DEAD AND COMMEMORATING THEIR HEROISM AND COURAGE IN THEIR HUMANITARIAN MISSION TO SAVE LIVES; CALLING FOR AN IMMEDIATE END TO THE CRUEL AND BRUTAL REGIME OF CASTRO IN CUBA; AND STRONGLY URGING THE PRESIDENT OF THE UNITED STATES TO TAKE FURTHER ACTIONS AGAINST FIDEL CASTRO.

WHEREAS, on Saturday, January 24, 1996, Cuban MIG fighters, flying over the Straits of Florida, shot down two single-engine, unarmed civilian planes in international airspace in a criminal act in flagrant violation of international law; and

WHEREAS, the aircrafts were part of humanitarian rescue efforts orchestrated by Brothers to the Rescue searching for lives to save in the Straits of Florida; and

WHEREAS, the City of Hialeah condemns this abhorrent act of violence resulting in the senseless loss of lives; and

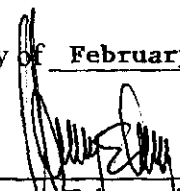
WHEREAS, the City of Hialeah, as guardians of representative democracy, call for the immediate end of the dictatorship in Cuba and look to the government of the United States and the international community to act decisively and forthrightly to isolate and impose severe sanction and punishment on this unlawful regime; and

WHEREAS, while the President of the United States has imposed sanctions against Cuba, the City of Hialeah urges the President to continue to pursue further actions against Fidel Castro.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

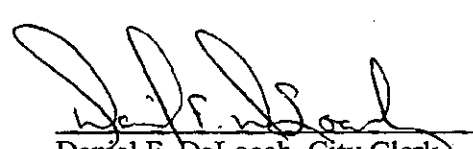
The Mayor and the City Council of the City of Hialeah, Florida, hereby denounces and condemns the barbaric act of gunning down two unarmed civilian aircraft over the straits of Florida in international airspace as a flagrant violation of international law and as the despicable act of a ruthless dictator and further mourns the loss of four crew members who are presumed dead and commemorates their heroism and courage in their humanitarian mission to save lives; calls for an immediate end to the cruel and brutal regime of Castro in Cuba; and strongly urges the President of the United States to take further actions against Fidel Castro.

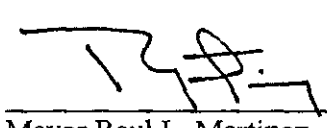
PASSED AND ADOPTED this 27TH day of February, 1996.


Herman Echevarria
President of Council

ATTEST:

Approved on this ____ day of _____, 1996.


Daniel F. DeLoach, City Clerk


Mayor Raul L. Martinez

Approved as to legal
sufficiency and as to form:
WMG\mv\RESO-96\AIRCRAFT.DOC


Alejandro Vilarello, City Attorney

RESOLUTION was adopted by a unanimous vote with Councilmembers Barrios, Caldwell, Echevarria, Morales, Rovira, Sanchez and Yedra voting "Yes".